

Thomas-Jensen Affirmation

Exhibit # 73

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

STATE OF NEW YORK, et al.,

Plaintiffs,

C.A. No. 25-cv-39-JJM-PAS

v.

**DECLARATION OF TRAVIS
BOESKOOL
(MICHIGAN)**

DONALD TRUMP, et al.,

Defendants.

I, TRAVIS BOESKOOL, pursuant to 28 U.S.C. § 1746, hereby declare that the following is true and correct:

1. I am the deputy director of the Michigan Department of Environment, Great Lakes, and Energy (EGLE), a position I have held since 2023. As deputy director, I am part of the core leadership team of EGLE in its mission of protecting Michigan's environment and public health by managing air, water, land, and energy resources. As part of this leadership role, I oversee the agency's budget and resource allocation and I work with federal agencies, local governments, and other state departments on environmental and energy matters.

2. As the deputy director, I have personal knowledge of the programs and funding discussed below, or have knowledge of these matters based on my review of information and records compiled by my staff.

3. EGLE works extensively with federal agencies to implement programs to assist in the provision of safe drinking water, pollution control, protection of

public health, environmental cleanup, safe management of solid and hazardous waste, and community outreach and education, to name only a few of EGLE's important programs. In Fiscal Year 2024, EGLE expended more than \$550 million in federal dollars, with much of that assistance provided directly to local governments and communities to help them improve their drinking water and wastewater infrastructure, including the critical replacement of lead service lines, treatment of sewage, and more. This fiscal year, EGLE expects grant agreements and funding agreements with local governments to utilize more federal dollars for these purposes, in the range of \$750-800 million dollars.

4. A pause in federal funding received by EGLE would have a direct, immediate, and adverse impact on the State of Michigan's ability to operate these programs, and would directly, immediately, and adversely impact Michigan's residents who rely on these programs.

5. Of the more than \$550 million in federal dollars expended by EGLE in Fiscal Year 2024, more than \$470 million was direct aid to local communities related to water infrastructure. These community construction projects remain ongoing, with communities reliant on these federal funds for continuing construction and paying hardworking contractors. A pause in the flow of federal dollars through EGLE could result in work stoppages, unpaid bills, and disruption of projects that would otherwise protect public health and the environment. EGLE's water infrastructure funding and financing programs have invested a total of \$5.3 billion in Michigan since 2019, resulting in an estimated 57,000 jobs created.

6. In addition, other programs that rely on federal funding and could be affected by a pause in federal funding include: Michigan's Air Pollution Control Program, tasked with safeguarding citizens from air pollution; the Superfund program, responsible for cleaning up some of Michigan's most contaminated land to protect public health; the Brownfield program, which provides grants and assistance to redevelop and reuse contaminated properties while creating jobs and stimulating economic development; Michigan's Safe Drinking Water program, to oversee and ensure the provision of reliable and safe drinking water; energy programs; and numerous programs to monitor and safeguard Michigan's most precious resource – our water and Great Lakes.

7. About one third of EGLE's more than 1,500 public servants in these programs are supported in part or in full by federal funding, risking EGLE's capability to fulfill its mission of protecting Michigan's environment and public health by managing air, water, land, and energy resources.

8. Since the pause in federal funding resulting from the Office of Management and Budget's (OMB) memorandum titled "Memorandum for Heads of Executive Departments and Agencies," issued on January 27, 2025, M-25-13, (the "OMB Memo"), eight accounts administered by the Environmental Protection Agency (EPA) remain suspended and EGLE is unable to draw federal funding from these accounts. The accounts are related to grant funding awarded under the Inflation Reduction Act (IRA). Specifically, the programs are referred to as IRA Clean Air Act, two Climate Pollution Reduction Grants, Solar For All, IRA Air

Monitoring Grant 60150(a), IRA Air Quality Sensors Grant 60105c, Clean Ports Planning, and Clean Heavy Duty Vehicles. Continuation of the freeze in these funds will halt Michigan's ability to access and utilize the remaining \$296 million in already-awarded grant funds. If EGLE is unable to access these funds, the public in Michigan will suffer the consequences through negative future outcomes to public health and the environment. These grants fund critical work to enhance, modernize, and upgrade the air quality monitoring network that EGLE operates, protect air quality through reducing pollutant emissions, save citizens hundreds of dollars a month on their energy bills and more. Continued withholding of the funds, many of which are under contract at the state level already, will mean those future benefits cannot be realized, to the detriment of the public, communities, and the state as a whole.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Dated: February 5, 2025

A handwritten signature in black ink, appearing to read 'T. Boeskool', written over a horizontal line.

Travis Boeskool, Deputy Director
Michigan Department of
Environment, Great Lakes, and
Energy